

grossed Bills, have had Senate Bill No. 148 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 285 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 147 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 51 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 112 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 288 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 164 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

### THIRTY-EIGHTH DAY.

Senate Chamber,  
Austin, Texas,

Thursday, March 3, 1921.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Baugh.	McMillin.
Buchanan.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Davidson.	Parr.
Dorough.	Rogers.
Dudley.	Sulter.
Fairchild.	Watts.
Floyd.	Williams.
Harp.	Wood.
Lewis.	Woods.

#### Absent.

Bailey.	Hall.
Bledsoe.	Hertzberg.
Carlock.	Richards.
Darwin.	Witt.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Murphy.

See Appendix for committee reports.

#### Excused.

Senator Hertzberg, for today and balance of week, on account of sickness, on motion of Senator Page.

### Bills and Resolutions.

(By Unanimous Consent.)

By Senator Parr:

S. B. No. 330, A bill to be entitled "An Act to aid the City of Corpus Christi in the construction of a sea wall or break water so as to protect said city from calamitous overflow, by donating to said city all the State ad valorem taxes, collected on property and from persons in Jim Wells, Jim Hogg, Brooks, Kleberg, Willacy and Duval Counties and by donating to said city all the State ad valorem taxes, collected on property and from persons in Nueces County not hereto-

fore donated to the City of Corpus Christi by Act of the Thirty-fifth Legislature of Texas, known as House Bill No. 694 for a period of twenty-five years, and to provide a penalty for their misapplication, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senators Williams, Bledsoe, Mc-Millin, Davidson, Dorough, by request:

S. B. No. 331, A bill to be entitled "An Act providing that fifty (50%) per cent of all franchise taxes paid to the Secretary of State, and that fifty (50%) per cent of all gross receipt taxes paid to the State Treasurer shall be deposited in the State Treasury to the credit of the 'State Highway Fund,' to be used for highway purposes, and declaring an emergency."

Read first time and referred to Committee on State Penitentiaries.

By Senators Williams, Bledsoe, Mc-Millin, Davidson, Dorough, by request:

S. B. No. 332, A bill to be entitled "An Act to amend Sections 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 14, 15 and 23 of Chapter 190 of the General Laws of the Thirty-fifth Legislature, Regular Session, and all amendments thereto; abolishing the State Highway Commission, State Highway Engineer, and Board of Highway Commissioners, and conferring all authority, powers, duties and functions thereof upon the Highway Commissioner herein provided for and upon the Secretary of State, so that the Highway Commissioner shall be charged with the duty of administering the laws relative to the public highways and their construction and maintenance, while the Secretary of State shall be charged with the duty of administering the laws with reference to registration and operation of motor vehicles in this State, and declaring an emergency."

Read first time and referred to Committee on State Penitentiaries.

By Senators Williams, Bledsoe, Mc-Millin, Davidson and Dorough, by request:

S. B. No. 333, A bill to be entitled "An Act to amend Articles, 6174

6179, 6183, 6184, 6184a, 6187, 6188, 6201, 6208, 6217 and 6231 of the Revised Civil Statutes of 1911, as amended by Section 1, Chapter 32, Acts of 1917, First Called Session; Section 2, Chapter 141 of the Acts of 1919, Regular Session; Section 1, Chapter 63, Acts of 1919, Second Called Session, and Chapter 67, Acts of 1918, Fourth Called Session, regulating the management, control and financing the Penitentiary System, and the working of prisoners therein of the State of Texas, and providing for the sale of prison farms, and directing the Board of Prison Commissioners to contract with the State Highway Department for the use of convicts on State highways, in accordance with Section 24, Article 16 of the Constitution of the State of Texas, and declaring an emergency."

Read first time and referred to Committee on State Penitentiaries.

By Senators Bledsoe, Hertzberg, Parr, Lewis, Cousins, Richards, Hall, Floyd, Dorough, Davidson, Clark, McNealus, Murphy, Rogers, Harp, Watts, Bailey, Fairchild and Witt:

S. B. No. 334, A bill to be entitled "An Act creating a Board of Managers for the Texas State Railroad, providing for the appointment, prescribing the duties of its members; directing the Prison Commission to transfer possession of the Texas State Railroad and all its property to the Board of Managers herein created, authorizing the Board of Managers to sell or lease the Texas State Railroad, and providing for the disposition of the proceeds; authorizing said Board in the event it cannot sell said railroad to continue to operate and to rehabilitate it, and making an appropriation therefor; providing for reports by said Board; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Read first time and referred to Committee on State Penitentiaries.

By Senator Parr:

S. B. No. 335, A bill to be entitled "An Act amending Section 5, of an Act passed at the regular session of the Thirty-sixth legislature of the State of Texas, entitled; An Act relating to the protection of wild game, birds, etc., and requiring a license

for the purpose of hunting, being H. B. No. 457, Chapter 157 of said Regular Session laws and to repeal all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Commerce and Manufactures.

By Senator Darwin:

S. B. No. 336, A bill to be entitled "An Act amending Article 4342 of Chapter 2, Title 65, of the Revised Civil Statutes of the State of Texas so as to restrict the power and authority of the Governor to grant or approve applications for deficiencies in appropriations made by the Legislature of this State; and limiting the granting of deficiencies and the issuance of deficiency warrants, except when requested by heads of certain eleemosynary and charitable institutions of this State; and declaring an emergency."

Read first time and referred to Committee on Finance.

#### House Bill No. 12.

The Chair laid before the Senate, on third reading:

H. B. No. 12, A bill to be entitled "An Act to amend Chapter 8, Title 71, of the Revised Civil Statutes, providing for the incorporation, organization, regulation and supervision of mutual life insurance companies in this State, and providing penalties for the violation of this Act."

The bill was read third time and passed finally.

#### House Bill No. 344.

The Chair laid before the Senate, on second reading:

H. B. No. 344, A bill to be entitled "An Act to create a more efficient road system for Bee County, Texas; making the county commissioners of said county ex-officio road commissioners and prescribing their duties as such, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 12 was put

on its third reading and final passage by the following vote:

Yeas—26.

Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Davidson.	Rogers.
Dorough.	Suiter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Harp.	Wood.
Lewis.	Woods.

Absent.

Bailey.	Hall.
Darwin.	Hertzberg.

The bill was read third time and passed finally.

#### House Bill No. 396.

The Chair laid before the Senate, on second reading.

H. B. No. 396, A bill to be entitled "An Act to amend Section 15, Chapter 9 of the Second Called Session of the Thirty-fifth Legislature of Texas, the same being an Act to create a special road law for Red River County, Texas; providing in said amendment that the county surveyor of Red River County, Texas, shall be ex-officio county road superintendent for said county; and requiring a bond, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 396 put on its third reading and final passage by the following vote:

Yeas—27.

Baugh.	Floyd.
Bledsoe.	Harp.
Buchanan.	Hertzberg.
Carlock.	Lewis.
Clark.	McMillin.
Cousins.	McNealus.
Davidson.	Murphy.
Dorough.	Page.
Dudley.	Parr.
Fairchild.	Richards.

Rogers.  
Suiter.  
Watts.  
Williams.

Witt.  
Wood.  
Woods.

Absent.

Bailey.  
Darwin. Hall.

The bill was read third time and passed finally.

#### House Bill No. 20.

The Chair laid before the Senate, on second reading.

H. B. No. 20, A bill to be entitled "An Act to amend Articles 586 and 587, Chapter 6, Title 11, of the Penal Code of the State of Texas, so as to provide a penalty for betting on all public elections, and defining public elections and declaring an emergency."

The bill was read in full, and,

On motion of Senator Wood, the committee report, with amendment, was adopted.

Senator Page offered the following amendment:

Amend the bill by striking out the word "less" in line 1 and substitute in lieu thereof the word "more."

The amendment was read and adopted.

Pending discussion, Senator Bledsoe moved to reconsider the vote by which the amendment by Senator Page was adopted, which motion was lost.

Senator Wood moved to rescind the vote by which the Senate refused to reconsider the vote by which the amendment by Senator Page was adopted.

The motion to rescind was adopted by the following vote:

Yeas—21.

Baugh.	McNealus.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Rogers.
Cousins.	Suiter.
Darwin.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Harp.	Wood.
Lewis.	Woods.
McMillin.	

Nays—7.

Bailey. Clark.

Dorough.  
Dudley.  
Hall.

Parr.  
Richards.

Absent.

Davidson. Hertzberg.

Senator Bledsoe moved to reconsider the vote by which the Page amendment was adopted, which motion to reconsider was adopted.

Senator Bledsoe moved to reconsider the vote by which the committee report, with committee amendment, was adopted.

The motion to reconsider was adopted by the following vote:

Yeas—23.

Bailey.	McNealus.
Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Richards.
Cousins.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Dorough.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Lewis.	Woods.
McMillin.	

Nays—6.

Carlock.	Hall.
Clark.	Harp.
Dudley.	Parr.

Absent.

Hertzberg.

The bill, having been read second time, was passed to a third reading by the following vote:

Yeas—22.

Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Harp.	Wood.
Lewis.	Woods.

Nays—7.

Bailey.	Hall.
Carlock.	Page.
Clark.	Parr.
Dudley.	

## Absent—Excused.

Hertzberg.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 20 put on its third reading and final passage by the following vote:

## Yeas—25.

Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Cousins.	Page.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

## Nays—3.

Bailey.	Parr.
Clark.	

Absent.

Richards.

## Absent—Excused.

Hertzberg.

The bill was read third time and passed by the following vote:

## Yeas—21.

Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Cousins.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Dorough.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Harp.	

## Nays—5.

Bailey.	Hall.
Clark.	Parr.
Dudley.	

## Present—Not Voting.

Page.

Absent.

Richards.

Woods.

Absent—Excused.

Hertzberg.

## House Bill No. 242.

The Chair laid before the Senate, on second reading,

H. B. No. 242, A bill to be entitled "An Act authorizing the erection of a monument to the memory of the soldiers, sailors, marines and nurses from Texas who lost their lives during the war between the United States and the Imperial German Government; providing for the appointment of a committee, making an appropriation therefor, permitting private donations, and declaring an emergency."

Senator Wood offered the following amendment:

Amend House Bill No. 242, page 1, line 25, by striking out the word "two" and insert in lieu thereof the following, "three."

The amendment was read and adopted.

Senator Page offered the following amendment:

Amend House Bill No. 242, by striking out the figures \$30,000, and insert in lieu thereof \$100,000.00.

Senator Baugh offered the following proposed amendment:

Amend House Bill No. 242 by striking out all in lines 28 and 29, page 1, from and after the word "war," and insert in lieu thereof the following, "recent world war."

Pending discussion, Senator Bailey moved that the bill and amendments be laid on the table subject to call for the purpose of getting information relative to the cost of a suitable monument. The motion was adopted.

## House Bill No. 496.

The Chair laid before the Senate, on second reading,

H. B. No. 496, A bill to be entitled "An Act to validate grant of land made by the crown of Spain to the original grantees and their heirs and assigns of Porciones Nos. 29, 30, 31, 33, 34, 36, 37, 38, 39, 47, 48, 53, 57 and 58, lying and being situated in Webb County, Texas, and to authorize and require the Commissioner of the General Land Office to issue patents to the original grantees, heir, heirs or assigns to said Porciones, and declaring an emergency."

The committee report was adopted.

Pending consideration of House Bill

No. 496, Senator Parr exhibited to the Senate the following notice, which was ordered printed in the Journal:

# NOTICE.

Notice is hereby given by the undersigned citizens of Webb County, State of Texas, to all persons interested, that the undersigned, who are the owners of some parts of the lands hereafter described, will make application to the Thirty-seventh Legislature of Texas, which meets at Austin, Texas, on the second Tuesday in January, A. D. 1921, for the passage of a special law by said Thirty-seventh Legislature, confirming the following grants made by the Crown of Spain, to the hereinafter named grantees of the following porciones of land now lying and being situated in the county of Webb, State of Texas, towit:

Porcion No.	Original Grantee.
29	Juan Baptista Villareal
30	Jose Francisco Cordova Mareno
31	Jose Trevino
33	Jose Dionicio Trevino
34	Jose Antonio Diaz
36	Laureano Salinas
37	Jose Bartolo Chapa
38	Toledo Sanchez
39	Jose Antonio Nasario
47	City of Laredo
48	City of Laredo
51	City of Laredo
53	Leonardo Sanchez
57	Jose Maria de la Garza
58	Manuel Garza

and authorizing and requiring the said Commissioner of Texas to issue patents to the respective original grantees of each respective porcion, describing same by the metes and bounds as per field notes on the file in the archives of the General Land Office of Texas.

Mrs. W. P. May,  
Mrs. J. A. May,  
Mrs. M. A. Eistotter,  
A. M. Bruni,  
S. V. Edwards,  
M. A. Hirsch,  
S. N. Johnson,  
Mrs. Dario Sanchez,  
H. Ligarde,  
B. A. Puig,  
Mrs. Addie Gridley,  
A. H. Camp,  
Mrs. J. M. Burr,  
T. C. Mann.

The State of Texas,  
County of Webb.

Before me, the undersigned authority, on this day personally appeared J. S. Penn, who, after being by me duly sworn, deposes and states under oath that he is the publisher of the Laredo Daily Times, a newspaper published in the county of Webb; and that he published the within notice in said newspaper for at least once a week for a period of thirty days prior to the first day of February, A. D. 1921. Said publication having been made respectively on December 29, 1920, 5th, 12th and 19th days of January, A. D. 1921, and a printed copy thereof is hereto attached.

JUSTO S. PENN.

On motion of Senator Page, the bill was laid on the table subject to call.

## House Bill No. 224.

The Chair laid before the Senate, on second reading,

H. B. No. 224, A bill to be entitled "An Act to amend Sections 1 and 15 of Chapter 81, of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter 34 of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, extending the term of said commission to the last Saturday in June, 1921, and providing for the appointment of judges for said extended term; providing for the extension of the term of said commission from the last Saturday in June, 1923, for the appointment of judges for said extended term, and declaring an emergency."

Pending discussion on the above bill, Senator Dorrough made the point of order that the printed bill had only been placed on the desk of the Senators this morning, and that the rules provided that such bills lie over for one day.

The Chair sustained the point of order.

Senator Murphy moved to suspend the Senate rule, requiring Senate bills to lie on the desk of Senators for 24 hours, which motion to suspend was adopted by the following vote:

## Yeas—22.

Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Cousins.	Page.
Darwin.	Parr.
Dudley.	Richards.
Fairchild.	Rogers.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.

## Nays—6.

Clark.	Suiter.
Davidson.	Watts.
Dorough.	Woods.

## Absent.

Bailey.

## Absent—Excused.

Hertzberg.

Senator Witt offered the following amendment:

Amend House Bill No. 224 by adding after Section 1 the following and re-numbering:

Section 2. That the following sums of money, or so much thereof as may be necessary, be, and the same are hereby appropriated to pay salaries of judges, and for the support of the judicial Department of the State Government:

For the Commission of Appeals,  
Sections A and B.

For the period beginning last Saturday in June, 1921, and ending August 31, 1921:

- |                                                                                      |            |
|--------------------------------------------------------------------------------------|------------|
| 1. Salary of six judges for two months and five days, at \$6,500 per annum . . . . . | \$6,941.68 |
| 2. Salary of four stenographers, at \$125 per month each for same period . . .       | 1,083.34   |
| 3. Salary of porter for same period at \$50 per month . . . . .                      | 108.34     |
| 4. Telephone, postage and other contingent expenses . . . . .                        | 75.00      |

Total . . . . . \$8,208.36

For period beginning September 1, 1921, and ending August 31, 1922:

- |                                                                    |             |
|--------------------------------------------------------------------|-------------|
| 1. Salary of six judges, at \$6,500 per annum . . . . .            | \$39,000 00 |
| 2. Salary of four stenographers, at \$125 per month each . . . . . | 6,000.00    |

- |                                                                                         |        |
|-----------------------------------------------------------------------------------------|--------|
| 3. Salary of porter . . . . .                                                           | 600.00 |
| 4. Record books, stationery, telephone, postage and other contingent expenses . . . . . | 900.00 |

Total . . . . . \$46,500.00

For the period beginning September 1, 1922, and ending the last Saturday in June, 1923:

- |                                                                               |           |
|-------------------------------------------------------------------------------|-----------|
| 1. Salary of six judges for ten months, at \$6,500.00 per annum . . . . .     | 32,500.00 |
| 2. Salary of four stenographers, at \$125 per month each . . . . .            | 5,000.00  |
| 3. Salary of porter . . . . .                                                 | 500.00    |
| 4. Record books, stationery, telephone, postage and contingent expenses . . . | 750.00    |

Total . . . . . \$38,750.00

Provided that the amounts herein appropriated for each item as stated herein, and no more, shall be paid out of the General Revenue for the Commission of Appeals during the fiscal years beginning the last Saturday in June, 1921, and ending August 31, 1923; and no surplus shall be diverted from one account to another account.

The amendment was read and Senator Murphy moved to table same, which motion to table was adopted by the following vote:

## Yeas—23.

Bledsoe.	Harp.
Buchanan.	Lewis.
Carlock.	McMillin.
Clark.	McNealus.
Cousins.	Murphy.
Darwin.	Parr.
Davidson.	Richards.
Dorough.	Suiter.
Dudley.	Watts.
Fairchild.	Wood.
Floyd.	Woods.
Hall.	

## Nays—5.

Baugh.	Williams.
Page.	Witt.
Rogers.	

## Absent.

Bailey.

## Absent—Excused.

Hertzberg.

Senator Dorough offered the following amendment:

Amend House Bill No. 224 by striking out the word "1923" wherever it occurs in the bill and the caption and insert in lieu thereof the following: "1922."

Senator Murphy moved to table the amendment, which motion to table was adopted by the following vote:

## Yeas—17.

Baugh.	Murphy.
Bledsoe.	Page.
Buchanan.	Parr.
Carlock.	Richards.
Darwin.	Rogers.
Dudley.	Williams.
Fairchild.	Witt.
Lewis.	Wood.
McMillin.	

## Nays—11.

Clark.	Harp.
Cousins.	McNealus.
Davidson.	Suiter.
Dorough.	Watts.
Floyd.	Woods.
Hall.	

Absent.

Bailey.

Absent—Excused.

Hertzberg.

The bill was read second time and passed to a third reading by the following vote:

## Yeas—21.

Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Cousins.	Parr.
Darwin.	Richards.
Dudley.	Rogers.
Fairchild.	Williams.
Floyd.	Witt.
Harp.	Wood.
Lewis.	

## Nays—7.

Clark.	Suiter.
Davidson.	Watts.
Dorough.	Woods.
Hall.	

Absent.

Bailey.

Absent—Excused.

Hertzberg.

Senator Witt moved that the constitutional rule requiring bills to be read on three several days be suspended and House Bill No. 224 be put on its third reading and final passage.

The motion was lost by the following vote:

## Yeas—21.

Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Cousins.	Parr.
Darwin.	Richards.
Dudley.	Rogers.
Fairchild.	Williams.
Floyd.	Witt.
Harp.	Wood.
Lewis.	

## Nays—7.

Clark.	Suiter.
Davidson.	Watts.
Dorough.	Woods.
Hall.	

Absent.

Bailey.

Absent—Excused.

Hertzberg.

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**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, March 3, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House Bill No. 371.

The House has refused to concur in Senate amendments to House Bill No. 26 and requests the appointment of a Free Conference Committee. The following conferees have been appointed on the part of the House: Messrs. Horton, West, Johnson of Wichita, Martin and Pollard.

The House has adopted Senate Concurrent Resolution No. 21, recalling House Bill No. 324 from the Governor.

Respectfully submitted,

N. K. BROWN,

Chief Clerk, House of Representatives.

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**Free Conference Committee On  
House Bill No. 26.**

Senator Carlock made the following motion:



"I move that the Senate grant the request of the House for the appointment of a Free Conference Committee on House Bill No. 26, and that the President appoint five (5) conferees on the part of the Senate."

The motion was read and adopted.

#### House Concurrent Resolution No. 31.

The Chair laid before the Senate, on second reading,

H. C. R. No. 31, Granting district judges leave of absence from the State during vacation of respective districts.

The resolution was read and adopted.

#### House Concurrent Resolution No. 13.

The Chair laid before the Senate, H. C. R. No. 13, Joining the Legislature of the several States of the Union in an application to Congress to submit a resolution to the several States proposing an amendment to the Constitution of the United States so as to provide that all amendments to the Constitution of the United States shall be submitted to the qualified electors of the several States for ratification or rejection.

The resolution was read and adopted by the following vote:

Yeas—16.

Carlock.	Lewis.
Clark.	McNealus.
Cousins.	Murphy.
Davidson.	Richards.
Dorough.	Suiter.
Fairchild.	Watts.
Floyd.	Wood.
Hall.	Woods.

Nays—11.

Baugh.	Fage.
Bledsoe.	Parr.
Darwin.	Rogers.
Dudley.	Williams.
Harp.	Witt.
McMillin.	

Present—Not Voting.

Buchanan.

Absent.

Bailey.

Absent—Excused.

Hertzberg.

#### House Concurrent Resolution No. 22.

The Chair laid before the Senate, H. C. R. No. 22, Relative to State carrying fire insurance on State buildings and property.

The committee recommended a substitute for the resolution (see substitute in full in Appendix of Journal of March 1) and the committee substitute was adopted.

The resolution was then adopted.

#### Senate Bill No. 193.

Senator McNealus asked unanimous consent to take up, out of its order, Senate Bill No. 297.

Senator Floyd objected and called for the special order, Senate Bill No. 193.

The Chair laid before the Senate, on second reading and special order,

S. B. No. 193, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars each year, or so much thereof as may be necessary, for the next two fiscal years, ending August 31, 1922, and August 31, 1923, respectively, as allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished and maintained; providing certain prerequisites for the granting of such aid, and providing that no school having over five hundred scholastics shall receive such aid except in the case of bona fide consolidated schools situated in the country; giving preference to all school districts in which the available school funds, together with the local district tax will not maintain the schools six months in the year; providing that such schools that receive such aid shall have a certain percentage of attendance with exceptions; granting authority to the State Board of Education and the State Superintendent of Public Instruction to act for the best interests of the

schools in cases and conditions not covered by the law; giving to the State Board of Education and the State Superintendent power to establish rules and regulations for the improvement of country schools receiving the benefits of a portion of the funds provided for in this Act; providing for the expenses of administration by action of the State Board of Education; providing for reports to be made to the State Superintendent of Public Instruction and to the State Board of Education; providing for the manner of payment and disbursements of all moneys granted under the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Wood offered the following amendment:

Amend Senate Bill No. 193 by striking out all after the enacting clause, and insert in lieu thereof the following:

Section 1. For the purpose of promoting and aiding all the public schools of this State, two million five hundred thousand (\$2,500,000) dollars is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for the school year ending August 31, 1922, and two million five hundred thousand (\$2,500,000.00) dollars is hereby appropriated out of any money in the State Treasury not otherwise appropriated, for the year ending August 31, 1923, said sums to be added to the available school funds for the scholastic years beginning September 1st, 1921, and ending August 31st, 1922, and beginning September 1st, 1922, and ending August 31st, 1923, and distributed in accordance with the statutes now controlling the distribution of the available school funds of the State, as provided by Articles 2725 and 2726, Chapter 9, Title 48, Revised Civil Statutes of Texas.

Sec. 2. The fact that many of the public schools of the State require additional funds to pay the salaries of teachers for the scholastic years beginning September 1st, 1921, and ending August 31st, 1923, creates an emergency and imperative public necessity calling for the suspension of the constitutional rule requiring bills

to be read on three several days and such rule is hereby suspended and this Act shall take effect and be in force from and after its passage and it is so enacted.

Senator Floyd made the point of order that the amendment was not germane to the bill.

Pending.

#### Recess.

Senator Bailey, at 12 o'clock, noon, moved that the Senate recess until 2 o'clock today, which motion was adopted.

#### After Recess.

The Senate was called to order by Lieutenant Governor Davidson.

#### Senate Bill No. 193.

The consideration of Senate Bill No. 193, the pending business when the Senate recessed, was resumed.

Action recurred on the point of order by Senator Floyd, on the amendment by Senator Wood, the point of order being that the amendment was not germane to the bill.

The Chair, Lieutenant Governor Davidson, made the following ruling on the point of order:

"On the point of order raised by the Senator from Red River, the Chair rules that as a general proposition any amendment is germane to the bill under discussion which does not change materially the subject matter, purposes or object of the bill under consideration, but only enlarges or diminishes the scope of such measure.

"The amendment offered by the Senator from Williamson to the pending bill does not change the general purposes of the bill, but has for its object diminishing the sum sought to be appropriated and providing for the distribution of such sum.

"The Chair holds that the amendment offered by the Senator from Williamson is germane to the pending bill, and overrules the point of order made by the Senator from Red River."

Pending discussion, Senator Sulter

offered the following amendment to the amendment:

Amend the pending amendment by changing the words and figures "two million five hundred thousand dollars," to "five million dollars," where the amount is stated for the scholastic year 1921-22.

Pending discussion, Senator Floyd moved to table the amendment to the amendment, which motion to table was adopted by the following vote:

**Yeas—23.**

Bailey.	Harp.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Darwin.	Page.
Davidson.	Parr.
Dorough.	Rogers.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	Woods.
Hall.	

**Nays—6.**

Clark.	Suiter.
Cousins.	Watts.
Richards.	Witt.

**Absent—Excused.**

Hertzberg.

Pending.

**Simple Resolution No. 67.**

Whereas, J. L. Ratliff, a former distinguished member of this body is now in the city; therefore, be it

Resolved, That he be granted the privileges of the Senate floor, and be invited to address the Senate.

FLOYD.  
DARWIN.

The resolution was read and adopted.

The Chair appointed Senators Floyd and Darwin as a committee to escort former Senator Ratliff to the president's stand, who, after being introduced, addressed the Senate briefly.

**Conference Committee Report On  
Senate Bill No. 7.**

Committee Room,

Austin, Texas, March 3, 1921.

Hon. Lynch Davidson, President of the Senate; and

Hon. Chas. G. Thomas, Speaker of the House of Representatives.

Gentlemen: We, your Conference Committee appointed by your respective bodies to consider the amendments of the House to Senate Bill No. 7, have had the same under consideration and beg to report that the Senate agrees to the House amendments as follows:

Amend Senate Bill No. 7, by adding Section 3 as follows:

Section 3. Any person who shall use any automobile, truck or other motor vehicle owned by the State of Texas, for any purpose except in the transaction of business for the State of Texas, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined any sum not less than \$5.00 nor more than \$500.00.

Also amend the caption to Senate Bill No. 7 by inserting after the word "designated," in line 26, the following: "and providing a penalty for the use of any such vehicle for any purpose except in the transaction of business for the State of Texas."

HALL,  
COUSINS,  
FAIRCHILD,  
BUCHANAN.

On part of the Senate.

SEAGLER  
WRIGHT,  
DARROCH,  
STEVENSON,  
LACKEY.

On part of the House.

The above report was read and laid on the table subject to call.

**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, March 3, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 243, A bill to be entitled

"An Act to amend Section 2, Section 26 of Chapter 48, of the General Laws of the First and Second Called Sessions of the Thirty-sixth Legislature of the State of Texas, so as to provide for and make definite the right to include all or part or more than one political subdivision of the State of Texas, within fresh water supply districts at their organization and to limit the issuance of bonds by such district, and declaring an emergency," with engrossed rider.

Respectfully submitted,

N. K. BROWN,

Chief Clerk House of Representatives.

#### **Bills Read and Referred.**

The Chair, Lieutenant Governor Davidson, had referred, after their captions had been read, the following House Bills:

H. B. No. 46, Referred to Committee on State Affairs.

H. B. No. 243, Referred to Committee on Mining and Irrigation.

#### **Conference Committee On House Bill No. 26.**

The Chair announced the following as members of the Conference Committee, on part of the Senate, on House Bill No. 26:

Carlock, Richards, Suiter, Wood, Dudley.

#### **Bills Signed.**

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. J. R. No. 11, Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows, who have been citizens of Texas prior to January 1, 1911, providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of seven (7) cents on the \$100 valuation of property

in the State for the payment of such pension, providing that the Legislature may reduce the rate of pension for such purpose; fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof.

H. B. No. 188, A bill to be entitled "An Act to amend Sections 2, 11, 13, 14, 15, 25 and 30 of Chapter 4 of the Special Laws of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to create a more efficient road law for Llano County, Texas, and to provide for the appointment of a Superintendent of Public Roads, Highways and Bridges for Llano County, and to provide his qualifications, term of office, etc.,' and declaring an emergency."

H. B. No. 435, A bill to be entitled "An Act to amend Article 7305 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 10 of the Acts of the Second Called Session of the Thirty-sixth Legislature, relating to the inspection of hides and animals, by striking therefrom the word 'Webb,' so as to include Webb among the counties subject to the provisions of Chapter 7, Title 125, of the Revised Civil Statutes of 1911, relating to regulations for the protection of stock raisers in certain localities, and declaring an emergency."

H. B. No. 301, A bill to be entitled "An Act creating and incorporating Hale Center Independent School District, in Hale County, Texas."

H. B. No. 336, A bill to be entitled "An Act to amend Chapter 72 of the Local and Special Laws of the Third Called Session of the Thirty-sixth Legislature, creating the Dalhart Consolidated Independent School District in Dallam and Hartley counties, and declaring an emergency."

H. B. No. 424, A bill to be entitled "An Act creating the Woodville Independent School District in Tyler county, Texas."

H. B. No. 241, A bill to be entitled "An Act creating an efficient road system for Falls County."

H. B. No. 363, A bill to be entitled "An Act to create a more efficient and better road system for Brazos County, Texas, and declaring an emergency."

H. B. No. 357, A bill to be entitled "An Act to amend Section 12 of Chapter 95 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third

Legislature, which was an Act to create a road system for Navarro County, Texas, so as to more particularly define the membership of the Boards of Permanent Road Commissioners for road district created in Navarro County, Texas; and declaring an emergency."

H. C. R. No. 30, requesting Congress to refund certain tax on cotton during years 1864-1867.

H. B. No. 463, A bill to be entitled "An Act amending Chapter 39, Local and Special Laws passed at the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, creating the Lorenzo Independent School District in Crosby and Lubbock Counties."

H. B. No. 464, A bill to be entitled "An Act creating and incorporating Cone Independent School District in Crosby County, Texas."

H. B. No. 466, A bill to be entitled "An Act to establish and redefine Rugby Common School District No. 40 of Red River County, Texas."

#### Simple Resolution No. 68.

Whereas, On March 2, 1921, death ended the earthly career of the Hon. Champ Clark, a distinguished American citizen and statesman,

And, Whereas, through his patriotic and unselfish labor throughout long years of service he has done much to promote the welfare of the American people,

Therefore; Be it resolved, that when the Senate of the State of Texas adjourns today, it do so in honor of the lamented Champ Clark.

HARP,  
ROGERS,  
MURPHY.

The resolution was read and adopted by a rising vote.

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, March 3, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has defeated

H. B. No. 24, A bill to be entitled "An Act to provide for the organization or admission and regulation of in-

corporated insurance companies other than life."

H. B. No. 46, A bill to be entitled "An Act to amend Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Chapter 113 of the General Laws of the Thirty-sixth Legislature, providing that the tax collector of each county shall transmit on Monday of each week, to the State Highway Department, fifteen per cent of the gross registration, chauffeur and transfer fees during the preceding week, and deposit the remaining eighty-five per cent in the county depository to the credit of the road and bridge fund of the county, to be expended by the commissioners' court as is now providing that all license fees collected on commercial and inter-urban commercial motor vehicles on a mileage basis shall be the property of the respective counties and be distributed in proportion to the mileage traveled in each county, and declaring an emergency; and also amending Section 5, Chapter 190, Acts of the Regular Session of the Thirty-sixth Legislature so as to provide that all salaries of employees of the State Highway Department, including engineer, shall be fixed by the Legislature," with engrossed riders.

Respectfully submitted,

N. K. BROWN,  
Chief Clerk, House of Representatives.

#### Adjournment.

On motion of Senator Clark, the Senate, at 4:30 o'clock, p. m., adjourned until 9:30 o'clock tomorrow morning.

#### APPENDIX.

##### Committee Reports.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Finance, have had under consideration

S. B. No. 166, A bill to be entitled "An Act to establish a 'Texas Industrial School and Work-shop for the Adult Blind of the State'; providing for a Board to locate such institution and to manage its affairs; pro-

viding an appropriation, and declaring an emergency."

And recommend that the bill do pass and be printed in the Journal only.

Dudley, Chairman; Williams, McMillin, Carlock, Page, Cousins, Fairchild, Clark, Woods.

Committee Room,

Austin, Texas, March 3, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Agricultural Affairs to whom was referred

S. B. No. 305, A bill to be entitled "An Act to protect the breeders and growers of pure bred high grade cotton seed for planting purposes, to safeguard the farmers in the purchase of pure bred cotton seed of certain varietal name, establishing a system of registration and certification; providing that the Commissioner of Agriculture and the President of the Agricultural and Mechanical College of Texas shall prescribe all necessary rules and regulations and make the necessary inspections for the proper enforcement of said Act, and the Commissioner of Agriculture shall have printed tags to be placed upon bags, and other containers of cotton seed offered for sale under the terms of this Act, and charge a fee for the same, and to enforce the provisions of this Act; prescribing penalties for the violation of said Act; providing that this Act shall be cumulative of Chapter 62, Acts of the Second Called Session of the Thirty-sixth Legislature, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

PARR, Chairman.

Committee Room,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 318, A bill to be entitled "An Act to amend Sections 19, 20, 21, 26 and 47 of Chapter 44, Acts of

the Thirty-fifth Legislature, Fourth Called Session, approved April 2, 1918, and also to amend Section 56 of said Chapter 44 as amended by Chapter 135, Acts of the Thirty-sixth Legislature, Regular Session, approved March 24, 1919; providing for the appointment of commissioners of appraisal for levee improvement district; defining their powers and duties and providing for their compensation and hearing on their report; authorizing commissioners courts to levy and cause to be assessed and collected the necessary taxes in such districts; defining the powers and duties of district supervisors and others with regard to contracts for construction work; providing for revision of the assessment of benefits and damages in such districts; and declaring an emergency."

Have had the same under consideration, and we are instructed to report same back to the Senate with the recommendation that it do pass.

Bledsoe, Chairman; Dudley, Murphy, Bailey, Baugh, Williams.

Committee Room,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, a majority of your Committee on Agriculture, to whom was referred House Bill No. 18,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, a majority of your Committee on Agriculture, to whom was referred Senate Bill No. 229,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 471, A bill to be entitled "An Act creating the Highland Independent School District, in Cameron County, Texas, and defining its boun-

daries; providing for the election of a board of trustees therefor, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 223 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 100 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 175 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 312 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 327 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

### THIRTY-NINTH DAY.

Senate Chamber,

Austin, Texas,

Friday, March 4, 1921.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

Absent—Excused.

Hertzberg.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

### Simple Resolution No. 69.

Resolved, That the Hon. Charles F. Greenwood, of Dallas, a former member of the Texas Legislature, be granted the privileges of the Chamber, and be requested to address the Senate.

McNEALUS.  
WATTS.

The resolution was read and adopted.

The Chair appointed Senators McNealus and Watts as a committee to escort Mr. Greenwood to the president's stand, who, after being introduced, addressed the Senate.

### Simple Resolution No. 70.

By Senator Dorough:

Be it resolved by the Senate, That the Lieutenant Governor be and he is